

20465. Adulteration of frozen red snappers. U. S. v. 49 Crates * * *. (F. D. C. No. 35255. Sample No. 50091-L.)

LIBEL FILED: May 21, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about May 1, 1953, from Jacksonville, Fla.

PRODUCT: 49 100-pound crates of frozen red snappers at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed fish. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: June 5, 1953. Default decree of condemnation and destruction.

20466. Adulteration of canned shrimp. U. S. v. 6 Cases * * *. (F. D. C. No. 35331. Sample No. 57675-L.)

LIBEL FILED: On or about June 23, 1953, District of Maryland.

ALLEGED SHIPMENT: On or about April 7, 1953, by Mavar Shrimp & Oyster Co., Ltd., of Biloxi, Miss., from Mobile, Ala.

PRODUCT: 6 cases, each containing 24 cans, of shrimp at Baltimore, Md. Examination showed that the product contained blackened shrimp, resulting from contact of the shrimp with the metal container so as to make them repulsive in appearance.

LABEL, IN PART: (Can) "Victor Brand Wet Pack Broken Shrimp Drained Wt. 5 Ounces."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of the presence of blackened shrimp.

DISPOSITION: July 14, 1953. Default decree of condemnation and destruction.

FRUITS AND VEGETABLES

CANNED FRUIT

20467. Misbranding of canned apricots. U. S. v. 74 Cases * * *. (F. D. C. No. 35317. Sample No. 42487-L.)

LIBEL FILED: June 22, 1953, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about May 14, 1953, by the Soule-Gibbs Co., from San Francisco, Calif.

PRODUCT: 74 cases, each containing 24 1-pound cans, of apricots at Philadelphia, Pa.

LABEL, IN PART: (Can) "Crawford's Best Whole Peeled Apricots * * * In Extra Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the article purported to be and was represented as canned apricots, a food for which a definition and standard of identity has been prescribed by regulations, and the label of the article failed to bear, as required by the definition and standard, the name of the optional packing medium present in the article since the label bore the statement "In Extra Heavy Syrup," whereas the article was packed in a medium designated as heavy sirup in the definition and standard.

DISPOSITION: July 15, 1953. James Crawford & Co., Philadelphia, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for

relabeling under the supervision of the Department of Health, Education, and Welfare.

20468. Misbranding of canned cherries. U. S. v. 240 Cases * * *. (F. D. C. No. 35332. Sample No. 41056-L.)

LIBEL FILED: June 24, 1953, District of Montana.

ALLEGED SHIPMENT: On or about December 3, 1952, by Varney Canning, Inc., from Roy, Utah.

PRODUCT: 240 cases, each containing 24 1-pound, 3-ounce cans, of cherries at Great Falls, Mont.

LABEL, IN PART: (Can) "Leota Brand Red Sour Pitted Cherries Packed in Water."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for pitted canned cherries because of an excessive number of pits and because an excessive number of cherries were blemished with skin discoloration, and the label failed to bear a statement that the article fell below the standard.

DISPOSITION: September 8, 1953. Varney Canning, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

JAMS, JELLIES, AND PRESERVES

20469. Adulteration of jelly. U. S. v. 52 Cases * * *. (F. D. C. No. 34934. Sample No. 53193-L.)

LIBEL FILED: On or about April 9, 1953, Western District of Missouri.

ALLEGED SHIPMENT: On or about October 25 and November 22, 1952, by Colonial Mfg. Co., Inc., from Oklahoma City, Okla.

PRODUCT: 52 cases, each containing 24 12-ounce jars, of assorted jelly at Springfield, Mo.

LABEL, IN PART: (Jar) "Milligan Leader Pure Apple Black Raspberry [or "Apple Strawberry" or "Apple Grape"] Jelly."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), articles containing artificial color had been substituted for apple-black raspberry jelly, apple-strawberry jelly, and apple-grape jelly.

DISPOSITION: June 1953. A default decree was entered providing for the delivery of the products to a charitable organization.

20470. Misbranding of jelly. U. S. v. 16 Cases, etc. (F. D. C. No. 34933. Sample Nos. 53191-L, 53192-L, 53209-L, 53210-L.)

LIBEL FILED: On or about April 9, 1953, Western District of Missouri.

ALLEGED SHIPMENT: On or about September 24, 1952, and March 7, 1953, from Oklahoma City, Okla., by Colonial Mfg. Co., Inc.

PRODUCT: 16 cases, each containing 12 2-pound-size jars, and 49 cases, each containing 24 12-ounce-size jars, of apple-black raspberry jelly; 5 cases, each containing 24 12-ounce-size jars, of apple jelly; and 48 cases, each containing 12 2-pound-size jars, of assorted apple-strawberry, apple-black raspberry, and apple-grape jelly at Springfield, Mo.